

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

NEAL HOUSTON,

Plaintiff,

vs.

CHARLES DWYER, et al.,

Defendants.

Case No. 1:06-CV-60 CAS

So Ordered
CHS
8/13/07

NOTICE OF VOLUNTARY DISMISSAL OF SELECT DEFENDANT

Comes now Plaintiff, by and through counsel, and voluntarily dismisses a select Defendant pursuant to FRCP 41(a)(1) and in support thereof states:

1. Plaintiff desires to voluntarily dismiss his complaint against:
 - a. LPN Hutchison
2. In support thereof Plaintiff states service has not yet been obtained on said Defendant nor have they filed an answer.
3. This notice of dismissal is filed pursuant to FRCP 41(a)(1) and is made without prejudice.

BEGER & BUSHIE, LLC

By: /s/ John D. Beger
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CERTIFICATE OF SERVICE

A copy of the foregoing was sent via ECF or U.S. Mail this 9th day of August, 2007, to: Michelle E. Akinsiku, Attorney General of Missouri, Attorney for Defendants Dwyer, Steel, Bowersox, Kemna and Dormire, P.O. Box 861, St. Louis, Missouri 63188, michelle.akersiku@ago.mo.gov and to Jessica L. Liss and Peter J. Dunne, Rabbitt and Pitzer, Attorneys for Defendants Correctional Medical Services, Stephanie Kasting, Dr. Michael Hakala, Dr. Elizabeth Conley, Dr. Glenn Babieh, and Warren Moore, 100 S. Fourth St., Suite 400, St. Louis, Missouri 63102-1821, liss@rabbittlaw.com, dunne@rabbittlaw.com.

/s/ John D. Beger

John D. Beger, #28298/2604